

FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983
**IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

COMPLAINT

Alvarado # 26361-018

(Last Name) (Identification Number)

Lawrence Alexander

(First Name) (Middle Name)

Thomson Admin. U.S. Penitentiary

(Institution)

P.O. Box 1001

(Address)

(Enter above the full name of the plaintiff, prisoner and address of plaintiff in this action)



V.

CIVIL ACTION NUMBER:

3:20-cv-00152-FKB
 (to be completed by the Court)

Madison County Detention Center

Major Husted, 1st Sgt. White, Lt. Williams (F.N.U.)

Sgt. S. Branch Deputy V. Sharp Deputy Gore (F.N.U.)

SRT Deputy Span, Moore, Ewin, Chavis

(Enter the full name of the defendant(s) in this action)

GENERAL INFORMATION

- A. At the time of the incident complained of in this complaint, were you incarcerated?
 Yes (☒) No (☐)
- B. Are you presently incarcerated?
 Yes (☒) No (☐)
- C. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?
 Yes (☒) No (☐)
- D. Are you presently incarcerated for a parole or probation violation?
 Yes (☐) No (☒)
- E. At the time of the incident complained of in this complaint, were you an inmate of the Mississippi Department of Corrections (MDOC)?
 Yes (☐) No (☒)
- F. Are you currently an inmate of the Mississippi Department of Corrections (MDOC)?
 Yes (☐) No (☒)

PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank.)

I. Name of plaintiff: Lawrence Alex Alvarado Prisoner Number: 26361-018

Address: Thomson Admin. U.S Penitentiary

P.O. Box 1001 Thomson IL 61285

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions and places of employment of any additional defendants.)

II. Defendant: Madison County Det. is employed as Major et. al
at Madison County Detention Center

The plaintiff is responsible for providing his/her address and in the event of a change of address, the new address of plaintiff as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

PLAINTIFF:

NAME: Lawrence Alexander Alvarado ADDRESS: #26361-018
United States Penitentiary Thomson (Admin. U.S. Pen.)
Thomson IL

DEFENDANT(S):

NAME: Madison County Detention ADDRESS: Madison County Detention Center
Center et al.
Major Husted, Sgt. S. Branch Hwy 51 2539
Deputy Gore Canton MS
Mst. Sgt. S. White (SRT) D/O
Sharp, Moore (SRT) Chavis (SRT)
Span (SRT) Lt. Williams et al.

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

- A. Have you ever filed any lawsuits in a court of the United States? Yes (✓) No ()
- B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse of this page or additional sheets of paper.)

CASE NUMBER 1.

1. Parties to the action: Alvarado v. J Carter et al
2. Court (if federal court, name the district; if state court, name the county):
U.S District Court of Texas (Beaumont)
3. Docket Number: ?
4. Name of judge to whom case was assigned: ?
5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?) Dismissed for failure to exhaust Remedy.

CASE NUMBER 2.

1. Parties to the action: Alvarado v. Medical Dept. et al
2. Court (if federal court, name the district; if state court, name the county): U.S District Court of Arizona (Tucson)
3. Docket Number: _____
4. Name of judge to whom case was assigned: J. G. Zipps
5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?) pending re-consideration

STATEMENT OF CLAIM

- III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet(s) if necessary).

Plaintiff a federal inmate was booked into the Madison
county Detention Center in Canton MS. (on 8/16/2019)
by the United States Marshall Service executing a Writ
in an unrelated case. Plaintiff was housed in unit A-7.
on or about September 25, 2019 the intire A-7 unit was moved
to C-4 unit (a unit that housed sickly inmates infected
with T.B, etc.) upon moving into the unit Plaintiff had
acknowledged that the unit was filthy and had not

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RELIEF

- IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

12.5 million Dollars monetary damages, and that
every Deputy personally involved in the assault to be
terminated from employment or any relief that a
Jury deems necessary.

Signed this 2 day of March, 20 20.

I declare (or certify, verify or state) under penalty of perjury that the foregoing is true
and correct.

Lawrence Alvarado
Signature of plaintiff

been cleaned. Plaintiff and a couple of other inmates had attempted to address the condition with Deputy Gore (F.N.U) who stated "yall stop acting like bitches." At that time plaintiff request to speak to Deputy Gores boss to report Deputy Gores conduct.

Several minutes later SRT Deputies Chavis (F.N.U) Moore (F.N.U) Span (F.N.U) and Ewlin (F.N.U) entered Unit C-4 SRT Deputy Span (F.N.U) Stated "Look Alvarado this is how we gone play it while you're here, you wont be a problem, we dont give a fuck about no rights in Madison County Detention Center, We'll beat that ass," Plaintiff responded "Ive been incarcerated for more than 13 years and I know my rights." Then Deputy Moore laughed. Befor they departed Deputy Chavis Stated "we gone get you"

Plaintiff immediately entered a complaint via Kiosk that alleged that plaintiff was in danger against Deputy Gore (F.N.U) Chavis (F.N.U) and several other members of the SRT team approximately an hour later plaintiff was taken to Administrative Segregation. What plaintiff thought was for his safety was the result of a "trumped up" incident report from Deputy Gore (F.N.U) that alleged that plaintiff had threatening Deputy Gore (F.N.U). The very next day 9/26/2019 D/O Gore worked B-Hall the same cell block that housed inmates in Administrative Segregation. while conducting count Deputy Gore seen plaintiff and said "See you'll never win around here," Deputy Sharp laughed and they both exited the cell block (Shortly after Deputy Gore fed dinner with a Jail trustee while feeding Cell block B-11) Plaintiff walked towards the window Deputy Gore (white trustee fed B-11) attempted to give plaintiff a tray that she grab from the bottom. Plaintiff fed the window and anounced "chow!" inside unit B-9. As the other inmates had up befor plaintiff Deputy Gore sat the fixed tray to the side and begin feeding the unit. When plaintiff approached the window

Deputy Gore reached to the bottom of the cart and grabbed the tray. Plaintiff allowed another inmate to skip him at that time Deputy Gore placed the fixed tray to the side and fed the other inmate from the top finally Plaintiff grabbed the tray out of curiosity when he stirred the food he and clearly see small greenlike pellets mixed in the food. Plaintiff immediately pressed the intercom button and asked to speak to the shift "it" and was denied until plaintiff was again escorted to yet another part of the Jail, this time Disciplinary Segregation, without being heard by any D.H.O (Sgt S. Branch) For the next 21 days plaintiff would be held in Disciplinary Segregation, finally on or about Sept 18 2019 Plaintiff was seen by Sgt. S. Branch and Deputy officer Christina Kelly (who is also Administrative Remedy Coordinator for the Jail)

Plaintiff was sentenced to 60 days segregation with time serve from 9-25-2019 the day he was moved to Administrative Segregation which would make his release from confinement on or about November 26, 2019. During this hearing plaintiff was advised that an investigation of the issue with Deputy Gore revealed that Deputy Gore had indeed done something to plaintiff's tray but the camera didn't show what. Plaintiff was advised by Sgt Branch & Christina Kelly that Deputy Gore would be punished by the administration. Plaintiff filed a request to Christina Kelly about the status of the Administrative Remedy pending against Gore and the SRT Deputies and was never responded to. Plaintiff filed a request to the warden via Kiosk to appeal the 1st step of the Social Administrative Remedy procedure he was responded to by the Warden. The warden who responded said "only a holding for the U.S Marshals office" Plaintiff replied that "such facts don't exempt him or his Deputies from being liable for violating Civil Rights of plaintiff" This reply went unanswered.

(8:30 am) on or about November 12 2019 Deputy Major Husted came to plaintiff's cell door D-612 with Deputy officer Sharp and attempted to bargain with plaintiff to withdraw the

Civil complaint against Gore (Deputy) and the SRT Team members who had threaten plaintiff's safety a month prior Major Husted offered to let plaintiff out of Segregation early (that day) if plaintiff ceased to go forward with the law suit. Plaintiff decline the offer.

On November 26, 2019 plaintiff was not released from Segregation. On November 27, 2019 plaintiff was let out of his cell D-612 for one hour per policy for Disciplinary procedures. Once the hour was up plaintiff asked to speak to Sgt. Branch (Disciplinary Hearing officer) concerning why plaintiff did not get out of confinement SRT Mst. Sgt. White came over the intercom and stated "Alvarado if you dont go in your cell you'll stay in lock down until you leave". Plaintiff replied "I need to talk to somebody!" SRT Mst. Sgt. White replied, "stay there I have someone you can talk to" Several minutes later SRT Team member Deputy Ewing (F.N.U.) armed with a pepper ball gun, Deputy Span (F.N.U.) Chavis (F.N.U.) Moore (F.N.U.) Sharp (F.N.U.) Sgt S. Branch Lt. Ike Williams entered Unit D-6 Deputy Ewing without cause shot plaintiff in the chest with the "pepper ball gun" plaintiff put his hands up and turn to face the wall where Deputy Ewing shot plaintiff in the back with the pepper ball gun. ~~Plaintiff was then taken to the main~~

Deputy's Chavis, (F.N.U.) and Span (F.N.U.) grabbed plaintiff and slammed him to the floor on his face before cuffing him behind his back. Once in restraints Deputies Moore, Span, Sharp and Chavis begin to Kick and punch plaintiff in the head and mid section. Deputy Chavis yelled "Tdd you we'll get your bitch ass!" Deputy Span stated "Welcome to Madison County bitch!" and punched a restrained plaintiff in the left eye causing a cut to appear on plaintiff's left eye brow. Plaintiff was snatched to his feet by Deputy Span and Chavis and instantly forced head first into the glass door in the front of D-6. Once out of D-6 Deputies Span, Moore, Chavis and Sharp would continue to force plaintiff head into the walls and poles along the way to the main

once outside of Unit Delta plaintiff was thrown in the grass on his face and repeatedly kicked and punched by Deputies Span, Moore Ewing and Chavis (who constantly stated "Yeah we told your bitch ass you don't run shit here!") Sgt. S. Branch, Mst Sgt. White (SRT) Lt. Williams stood there and allowed their inferiors to attack the plaintiff.

Plaintiff was taken to Medical and treated for the gash over his left eye that bled profusely and other minor bumps and bruises caused by the use of force. On the way back from medical plaintiff was marched pass Deputy Gore who stood in the hall way. When she seen plaintiff she stated "They finally got you!!" Plaintiff was escorted to Delta Unit and back to Unit 6 Disciplinary Segregation. While the new cell 614 was prepared for plaintiff he was placed face against the wall. Deputy Moore came up behind a cuffed plaintiff and placed his right hand to the back of plaintiffs head and held it against the wall to aggravate plaintiffs new cut to his eye.

Plaintiff was escorted to cell 614 and forced to get naked by Deputy Span while, Moore, Chavis Lt. Williams and Deputy Ewing looked on. Deputy Span force plaintiff to his knees facing the wall, plaintiffs cuffs were removed and plaintiff was kicked in the back by Deputy Span before they backed out of the cell plaintiff lay on the floor for almost 15 minutes before he got to his feet. later that day the shift supervisor would advise plaintiff that per Major Husted and SRT Mst. Sgt White plaintiff was to remain in his cell only being out for medical emergency.

On or about December 9, 2019 plaintiff was treated for blood in his urine caused by the trauma to his kidneys during the "assault". Plaintiff also suffered from a concussion caused by the repeatedly force collisions with the wall, pole and glass doors. Finally on or about the morning of December 12, 19

while plaintiff was chained to be transported to the airport to go back to feds. Plaintiff was attacked by Deputy Span who picked plaintiff up while cuffed saying "I want to dump you on your fucking head before you go!" Warden Brian Watson looked on. Shortly after plaintiff was returned to the custody of the Marshals. This suit follows.

Count One: Deputy Gore (F.N.U.) violated plaintiff right against Retaliation when she put poison in plaintiff's tray

Count Two: Deputy's Chavis (F.N.U.) Moore (F.N.U.) Span (F.N.U.) Sharp (F.N.U.) used Excessive force against plaintiff when they beat him while in hand cuffs, with malicious intent.

Count Three: Deputy's Chavis, Span, Moore and Sharp were deliberately Indifference to plaintiff's health when Defendants repeatedly forced plaintiff head to the wall doors and poles

Count four: Mst. Sgt. White, Sgt. S. Branch, Lt. Williams were Deliberately Indifference to plaintiff health when the Defendants failed to interfere with the assault against Plaintiff

Count five: Major Husted, Warden Brian Watson, Christina Kelly (D/O) fail to protect plaintiff after plaintiff had filed complaints to Defendants about the threat to plaintiff safety from Deputy Span, Moore, Gore, Chavis, retaliating against plaintiff.

Count Six: Warden Brian Watson, Administrative Remedy Coordinator Christina Kelly violated plaintiff's rights to Due process when they interfered with plaintiff's right to properly litigate with Due diligence.

Lawrence Alvarado